

PLANNING COMMISSION MINUTES

September 4th, 2002

7:30 PM

Jamestown Library

The meeting was called to order at 7:35 p.m. and the following members were present:

Rob Lambert	Gary Girard
Mary Brennan	Betty Hubbard
Victor Calabretta	Jean Magregor-Brown
Andrew Kallfelz	Sue Barker
Michael Schnack	

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Recording Clerk
John Murphy – Attorney
Andrew Johnston – Engineer – N.E. & C.
Joe Manning
Mark Conboy – Engineer – David Gardner & Associates
Prescott and Florence Froberg
Travis and Chris Hartley
Michaela Kennedy
Richard Allphin

I. Reading and Approval of Minutes from August 7, 2002

A motion was made by Commissioner Girard and seconded by Commissioner Hubbard to accept the minutes as written. So voted:

Rob Lambert - Abstain	Gary Girard - Aye
Mary Brennan - Aye	Betty Hubbard - Aye
Victor Calabretta - Abstain	Jean Magregor-Brown - Abstain
Andrew Kallfelz - Abstain	Sue Barker - Aye
Michael Schnack - Aye	

II. Correspondence

1. CRMC – Assent- Stephen Evangelista – 18 Intrepid Lane, Jamestown, RI 02835; to construct and maintain a residential boating facility to consist of a 4' x 178.5' fixed timber pier with a lower fixed (4'x20') "L" section at the terminus of the dock. The residential dock will extend to 75 feet beyond mean low water (MLW). Located at 330 East Shore Rd. Jamestown RI Plat 4 Lots 137-138. Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

- a. Town Planner's Submitted Report

Town Planner Lisa Bryer informed the Planning Commission that the Town Council approved the proposed Zoning Ordinance Amendments to Section 709 as written and Public Zone with amendments. She also asked the Planning Commissioners to attend the Public Hearing on Monday September 9th 2002 for the High Groundwater Ordinance. Ms. Bryer also stated that the Town Engineer Richard Pastore would be in her office on Friday morning to meet with Brenda Dillmann to discuss Mondays meeting.

b. Town Committees

Commissioner Schnack reported that the Harbor Commission is still working on the ordinance with the concentration on moorings, density and access areas.

c. Sub Committees

Commissioner Girard reported that the Parking Committee will be conducting meetings again at the request of the Town Council with Grinnell and Elm streets being the first areas to look at in addition to Park Dock and Melrose Ave.

V. Old Business

1. Cedar Lane Estates – Minor Subdivision AP 5 lot 510, Cedar Lane – Preliminary Review – Approval

Attorney John Murphy introduced Andrew Johnston and the applicant Mr. Joe Manning and gave a brief update on the project. There are 3 items in the Conditions of Approval that they would like to address. The first one is #4, #7, and #8. Numbers 4 and 7 they object to but will do it. Mr. Manning asked to address the Planning Commissioners regarding #8. He stated that he would like to go with the towns desire but thinks that the 100-foot buffer is too much and wants to compromise. He also said that he felt the fence would be unattractive. A discussion ensued regarding item #8 of the Conditions of Approval. A motion was made by Commissioner Lambert and seconded by Commissioner Girard to approve the plan as follows:

A. Findings of Fact

The Board makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan and/or shall satisfactorily address the issues where there may be inconsistencies;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance;
3. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as long as the proposed system is located within 150 feet from the edge of any wetland;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
5. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;

6. All subdivision lots have adequate and permanent physical access to a public street, namely, Cedar Avenue. Lot frontage on a public street without physical access shall not be considered compliant with this requirement.
7. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
8. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
9. All lots in the subdivision have access to sufficient potable water for the intended use. All three lots propose private wells.
10. These lots are directly adjacent to Rt. 138. Rt. 138 is a scenic highway with minimal visual intrusion from the built environment and a high volume of traffic.

B. Conditions of Approval

1. The approval is for a total of 3 lots;
2. That payment of a fee in-lieu-of land dedication shall be required for this subdivision in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be paid prior to recording of the final plan.
3. Granite monuments shall be placed at all corner points at the new property lines as well as along all angle points and property boundaries along the limit of No Disturbance as described in 8 below;
4. Prior to final approval, the applicant must provide a Physical Alteration Permit from the Department of Transportation;
5. Rt. 138 shall not be considered frontage for these lots.
6. RIDEM Subdivision Suitability shall be received prior to final approval of this application;
7. Three potable wells must be installed and tested to insure sufficient quantity and quality of drinking water for the intended use prior to final approval;
8. A 92 foot "No Disturbance" buffer shall be shown on the final plat for all three lots along Route 138 for the purpose of noise attenuation and a visual barrier. This buffer shall be monumented as indicated in 3 above. The applicant shall be permitted to submit a management plan for the buffer area at a later date subject to Planning Commission approval. Notice of such a meeting shall be sent to representatives of the adjacent cemetery by the applicant;
9. This approval does not preclude the developers of each lot from complying with all applicable local and state regulations;

10. The Planning Commission delegates Final Review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plan provided that the Subdivision Suitability does not require reconfiguration of any lots or disturbance of the required vegetative buffer as required in 8 above;
11. This approval shall be recorded with the Town Clerk contemporaneously with the Final Plat; and,
12. This approval shall expire one year from the date of approval by the Planning Commission.

So unanimously voted.

The Planning Commission decided to take New Business 1. before Old Business 2.

2. Underground Utilities - Discussion / Recommendation to the Town Council

VI. New Business

1. Hartley Subdivision – Minor Subdivision with Street extension – Preliminary Review / Set public hearing

Mark Conboy, Engineer from David Gardner and Associates made a presentation to the Planning Commission for this 2-lot subdivision on 2.4 acres of land. The road will be extended on Ship St. to make a Cul-de-Sac. There will be very few trees removed. Commissioner Hubbard asked about ownership of the road and a maintenance agreement. This is required and will be provided at the Final approval stage. A public hearing will be scheduled. A motion was made by Commissioner Calabretta and seconded by Commissioner Girard to approve the Preliminary Review and set the public hearing for October 2, 2002. So unanimously voted.

III. Old Business- (Continued)

2. Underground Utilities - Discussion / Recommendation to the Town Council
Commissioner Lambert gave a brief synopsis of the history of the underground utility issue and the Downtown Improvement Project. Commissioners Girard and Schnack stated that they would like to move forward with the Downtown Improvement Project without delays. Commissioner Kallfelz stated that underground utilities is a separate issue from the Downtown Improvement Project and that we need to develop a plan for undergrounding for the whole Town over the next several years for the future. He said that there may be money available for this on the state level. Commissioner Girard made a motion to form a sub-committee to prepare a report on the feasibility of underground utilities in Jamestown. Commissioner Barker seconded the motion. So unanimously voted. Commissioner Kallfelz stated the report is for the purpose of educating the Planning Commission on the issues, outlining the planning process to prepare an island wide plan for underground utilities, estimate cost, detail the options for the community, and report on what other communities have done to accomplish their goal of undergrounding. The Planning Commission stated very clearly that they want underground utilities to be separate and apart from the Downtown Improvement Project

and that the whole town needs to be addressed with priorities areas for undergrounding. Commissioners Kallfelz, Brennan, and Brown have volunteered for the committee.

VI. New Business (continued)

2. Planning Commission Attendance

The attendance of the Planning Commissioners was put on the agenda because in recent months there have been a few occasions where there was barely a quorum. The Town Planner Lisa Bryer asked that the Commissioners call the office to let us know if they will not be attending the meeting.

A motion to adjourn at 9:25 p.m. was made by Commissioner Girard and seconded by Commissioner Barker. So unanimously voted.

Attest:

Cynthia Reppe

This meeting was recorded on 1 micro cassette